

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. CV 18-9828-DMG (KS) Date: January 23, 2019

Title *Brandon Che Lee v. Unknown*

Present: The Honorable: Karen L. Stevenson, United States Magistrate Judge

Gay Roberson
Deputy Clerk

N/A
Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE RE: DISMISSAL

On November 21, 2018, Plaintiff, a federal prisoner proceeding *pro se*, filed a “criminal complaint.” (Dkt. No. 1.) The complaint does not identify the individuals being sued, the relief Plaintiff seeks, or the laws or constitutional provisions that Plaintiff believes have been violated. (*See generally id.*) As such, the complaint violates Rule 8 of the Federal Rules of Civil Procedure and is subject to dismissal for failure to state a claim upon which relief can be granted. *See* FED. R. CIV. P. 8; *United States ex rel. Cafasso v. Gen. Dynamics C4 Sys., Inc.*, 637 F.3d 1047, 1059 (9th Cir. 2011) (complaint violates Rules 8 if a defendant would have difficulty understanding and responding to it); *see also* 28 U.S.C. § 1915A(b) (Congress requires district courts to dismiss civil rights complaints brought by prisoners if the court determines that the complaint, or any portion thereof, fails to state a claim upon which relief can be granted).

Also on November 21, 2018, the Court notified Plaintiff that he had failed to pay the filing fee and had not filed a request to proceed *in forma pauperis*. (Dkt. No. 2.) More than two months have now passed and Plaintiff has not responded to the Court’s notification. Accordingly, because Plaintiff has neither paid the filing fee nor obtained authorization to proceed without prepayment of the fee, **IT IS HEREBY ORDERED that Plaintiff shall show cause, no later than February 6, 2019, why the action should not be dismissed.**

To that end, the Clerk is directed to send Plaintiff a copy of the Central District’s civil rights complaint form (CV-66) and a copy of the Central District’s form Request to Proceed Without Prepayment of Filing Fees with Declaration in Support (CV-60P). **To discharge this Order and proceed with his case, Plaintiff must either: (1) pay the \$400 filing fee in full; or**

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(2) file the completed forms, and the necessary documentation, with the Court on or before the February 6, 2019 deadline.

Plaintiff's failure to timely comply with this Order will result in a recommendation of dismissal of his case.

IT IS SO ORDERED.

Initials of Preparer

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